

REMARKS

Claims 1-14, 16, 18-29, and 31 are in pending in this application. By this Amendment, claim 24 is amended. No new matter is added. In view of the following remarks, favorable reconsideration and timely allowance are respectfully requested.

Applicant gratefully acknowledges the Office Action's indication that claims 1-14, 16, and 18-23 recite allowable subject matter. However, Applicant respectfully asserts that all of the pending claims are allowable for at least the following reasons.

I. Rejection of Claims under 35 U.S.C. §103(a)

Claims 24-29 and 31 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 6,738,438 to Rick et al. (hereinafter "Rick") in view of U.S. Patent No. 6,775,252 to Bayley (hereinafter "Bayley"). Applicant respectfully traverses the rejection.

Specifically, Applicant asserts that Rick in view of Bayley fails to at least disclose or suggest a method for searching for a base station from a mobile communicator, including at least determining whether significant received energy was detected during a first searching that was outside of a first search window, the first search window having a size that is less than a full search window size, as recited in independent claim 24.

As described in Applicant's April 23, 2007 Response, the Office Action recognizes that Rick fails to disclose a first search window having a size that is smaller than the large search window size. See Office Action dated February 22, 2007, p. 11. Moreover, the current Office Action is silent as to any disclosure or teaching by Rick of the first search window having a size that is smaller than the full search window size. Therefore, for at least the above reasons, Rick cannot reasonably be considered to disclose or teach the combination of all the features recited in independent claim 24.

Bayley does not cure the above-noted deficiencies of Rick. Specifically, Bayley merely teaches setting a search window size to a first window size (121 chips in duration), which is greater than a second search window size (81 chips in duration). See Bayley at col 14, lines 54-57 and col. 15, lines 56-59 and the Office Action at p.3. Accordingly, Bayley fails to teach or suggest a first search window having a size that is smaller than a full search window size.

Therefore, for at least the above reasons, Applicant respectfully asserts that Rick in view of Bayley fails to disclose or suggest the combination of the method recited in independent claim 24. Regarding dependent claims 25-29 and 30, Applicant asserts that these claims are patentable for at least the reasons that independent claim 24 is patentable, as well as for the additional features they recite. Accordingly, Applicant respectfully requests favorable reconsideration and withdrawal of the 35 U.S.C. §103(a) rejection of independent claim 24 and dependent claims 25-29 and 31.


II. Conclusion

In accordance with the above remarks, Applicant respectfully submits that claims 1, 12, 16, and 24 define patentable subject matter. Claims 2-11, 13-14, 18-23, 25-29, and 31 depend from claims 1, 12, 16, and 24, respectively, and therefore, also define patentable subject matter, as well as for the additional features they recite.

Therefore, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-14, 16, 18-29, and 31 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff

Registration No. 27,075

John S. Kern

Registration No. 42,719

JAO:DCT/tjx

Date: October 30, 2007

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

**DEPOSIT ACCOUNT USE
AUTHORIZATION**

Please grant any extension
necessary for entry;

Charge any fee due to our
Deposit Account No. 15-0461